



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

TRG  
Docket No: 7649-02  
3 October 2002

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) Case Summary  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member in the Marine Corps Reserve filed an application with this Board requesting, in effect, that his record be corrected by moving retirement points from the anniversary year ending 22 June 2000 to the anniversary year ending 22 June 2001.

2. The Board, consisting of Mr. Brezna, Mr. Kastner and Mr. Pauling, reviewed Petitioner's allegations of error and injustice on 1 October 2002 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner's application was filed in a timely manner.

c. Petitioner enlisted in the Marine Corps Reserve on 23 June 1998. In his first anniversary year ending on 22 June 1999, he was only credited with 20 retirement points. In the next year he was credited with 101 points, including 60 days of active duty. On 2 June 2001 he was placed in a Temporary Not Physically Qualified (TNPQ) status. When his anniversary year ended on 22 June 2001, he was only credited with 46 of the required 50 retirement points for a qualifying year. He has been credited with 70 retirement points in the next anniversary year.

d. Petitioner states that he was unable to perform drills because of his TNPQ status. He requests that four retirement points be transferred into the anniversary year ending 22 June

2001 so that it will be a qualifying year for retirement.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board believes that Petitioner would have earned the four points necessary for a qualifying year except for his TNPQ status. Since he is so close to earning a qualifying year and the circumstances were beyond his control, the Board concludes that four retirement points should be transferred from the anniversary year ending 22 June 2000 into the anniversary year ending 22 June 2001.

The Board further concludes that this Report of Proceedings should be filed in Petitioner's naval record so that all future reviewers will understand his status in the Retired Reserve.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by moving four retirement points from the anniversary year ending 22 June 2000 into 22 June 2001.

b. That this Report of Proceedings be filed in Petitioner's naval record.

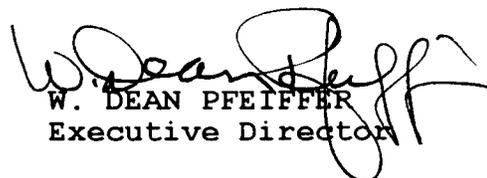
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder



ALAN E. GOLDSMITH  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER  
Executive Director